



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

**Steven A. Rogers**

Serial No.: 10/722,676

Atty. Docket No.: 006389.00005

Filed: November 25, 2003.

Group Art Unit: 2616

For: Local Area Network Contention  
Avoidance

Examiner: Scheibel, Robert C

Confirmation No.: 7252

**DECLARATION UNDER 37 C.F.R. § 1.132**

U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, Virginia 22314

Sir:

I, CURTIS SILLER, hereby declare as follows:

1. I am the Chief Technology Officer of Rivulet Communications, Inc., 75 Rochester Avenue, Portsmouth, New Hampshire, 03801-2852, the assignee of the present patent application.
2. I received a Ph.D. in Electrical Engineering from the University of Tennessee.
3. I have reviewed the present application, the non-final Office Action of August 31, 2006, and U.S. Patent No. 6,141,355 to Palmer.
4. The methods, devices, and systems of the claims in the present application relate to reducing contention for a network device.
5. Contention is a term used to describe a situation when multiple nodes are permitted to transmit to the same network device (e.g., LAN switch) at the same time. Thus, in a contention

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situation, multiple transmitting nodes are competing for the same output link, potentially resulting in queuing and/or dropping of network packets at the network device.

6. Collision is a term used to describe a situation when two devices attempt to transmit data over the same network at the same time, resulting in the data being discarded. Computer networks often use mechanisms to either prevent collisions or to detect and recover from collisions. For example, Ethernet networks often use the Carrier Sense Multiple Access/Collision Detection (CSMA/CD) network access method defining how devices should respond when multiple devices attempt to use a data channel simultaneously and encounter a data collision. According to CSMA/CD, if multiple devices transmit at once, a collision occurs and each device will stop transmitting and wait time before attempting to retransmit.

7. Thus, contention and collisions are distinct concepts within the field of computer network communications. Further, it is well known in this field that a technique for reducing collisions on a network would not necessarily reduce contention for any device on the network.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Jan 28, 2007

Date

Curtis Siller

Curtis Siller